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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Serial No. 10/753,423

Group Art Unit: 3726

Applicant: Jim Pratt

Examiner: Hong, John C

Filing Date: January 9, 2004

Attorney's Ref.: 1315-10/JLW

Title: GUARD RAIL SYSTEM

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
U.S.A.

Dear Sir:

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REJECTION OVER A PENDING "REFERENCE" APPLICATION**

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of U.S. Patent No. 6,702,259, as the term of U.S. Patent No. 6,702,259 may be shortened by any terminal disclaimer filed prior to its grant, in

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- 2 -

October 21, 2005

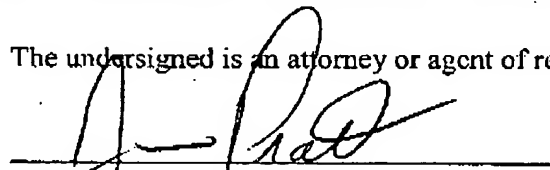
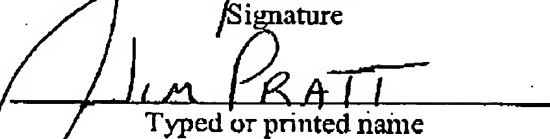
the event that: U.S. Patent No. 6,702,259: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

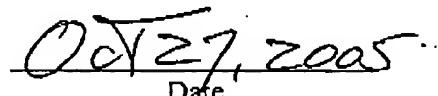
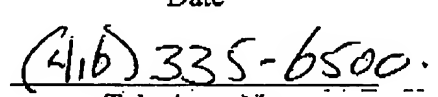
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- ☒ 1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

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- ☐ 2. The undersigned is an attorney or agent of record. Reg. No.

  
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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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